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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF SANTA CLARA**

10 **ANTELOPE VALLEY GROUNDWATER**
11 **CASES:**

12 Included Actions:

13 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
14 County of Los Angeles, Case No. BC325201

15 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
16 County of Kern, Case No. S-1500-CV-254-
17 348

18 Wm. Bolthouse Farms, Inc. v. City of
Lancaster
19 Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
20 Superior Court of California
County of Riverside, consolidated actions
21 Case Nos. RIC 353840, RIC 344436,
RIC 344668
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Judicial Council Coordination
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053
Assigned to the Honorable Jack Komar

**ANAVERDE LLC'S AMENDED
WITNESS LIST FOR PHASE 2 TRIAL**

Trial Date: October 6, 2008
Location: LASC, Dept. 1
Time: 9:00 a.m.

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Cross-defendant, Anaverde LLC (“Anaverde”) hereby identifies the following individuals
3 as witnesses who may testify in Anaverde’s case-in-chief:

4 1. **Chris Yelich, Managing Member of Anaverde Land Management, LLC and**
5 **Anaverde LLC, and/or Brian Veit, Manager of Anaverde Land Management, LLC and the**
6 **Administrative Member of Anaverde LLC:** Mr. Yelich and Mr. Viet have personal knowledge
7 of the history and practices of Anaverde and the overall project. Mr. Yelich, and/or Mr. Veit, is
8 expected to testify at trial as to ownership of Anaverde and its future development plans. Their
9 respective examination(s) would last approximately three (3) hours. Due to uncertainty as to the
10 trial calendar, Anaverde is unable to ascertain witness availability at this time.

11 2. **John Lambie: Principal Groundwater Hydrologist, e-pur, LLC.** Mr. Lambie
12 is Anaverde’s designated expert witness. Mr. Lambie is an expert witness on groundwater
13 characteristics of the aquifer below and around Anaverde’s property. Anaverde intends to call Mr.
14 Lambie to testify to the issue of separate basins that are distinct from the overall Antelope Valley
15 Adjudication Basin. Anaverde estimates approximately eight (8) hours for Mr. Lambie’s
16 testimony.

17 3. **Brian Gulbranson: Senior Scientist/Geologist, Summit Environsolutions, Inc.**
18 Mr. Gulbranson is qualified to conduct geophysical investigations and aquifer testing. He has
19 personal knowledge of the aquifer testing conducted on Anaverde’s property. Anaverde estimates
20 approximately three (3) hours for Mr. Gulbranson’s testimony.

21 4. **Carl Hauge or Robert Pierotti**, or other person whom the Department of Water
22 Resources (“DWR”) designates as the person most knowledgeable about Bulletin 118-2003,
23 entitled “California’s Groundwater Bulletin 118 Update 2003”, October 2003.

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5. **Person Most Knowledgeable** (as determined through the ongoing meet and confer process between Anaverde and the District) regarding the Los Angeles County Waterworks District No. 40's excel spreadsheet and its creation, maintenance, underlying data, and compilation/authentication.

Anaverde reserves its right to call other persons to testify (expert and/or percipient) as may be required, and as may be required to impeach and/or rebut any testimony or evidence offered by any party. Further foundation and/or authentication witnesses may be called, if needed.

DATED: October 5, 2008

Respectfully submitted,

MALISSA HATHAWAY McKEITH
JOSEPH SALAZAR, JR.
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KIMBERLY A. HUANGFU
LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/
KIMBERLY A. HUANGFU
Attorneys for ANAVERDE, LLC.

PROOF OF SERVICE

I declare that:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On October 5, 2008, I served **ANAVERDE LLC'S AMENDED WITNESS LIST FOR PHASE 2 TRIAL** by posting the document(s) to the Santa Clara Superior Court website in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, executed on October 5, 2008, 2008.

/s/
Maritza Estrada